

Metcalfe	Stanford
Moffett	Stone
Moore	Sulak
Morris	Taylor
Parrish	Vick
Ramsey	Weinert
Shivers	Winfield
Spears	

Absent—Excused

Kelley	York
--------	------

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—29

Aikin	Moffett
Brown	Moore
Bullock	Morris
Carney	Parrish
Chadick	Ramsey
Crawford	Shivers
Graves	Spears
Hazlewood	Stanford
Jones	Stone
Knight	Sulak
Lane	Taylor
Lanning	Vick
Martin	Weinert
Mauritz	Winfield
Metcalfe	

Absent—Excused

Kelley	York
--------	------

Adjournment

On motion of Senator Moore, the Senate, at 8:55 o'clock p. m., adjourned until 10:30 o'clock a. m., tomorrow.

FIFTY-SECOND DAY

(Thursday, April 5, 1945)

The Senate met at 10:30 o'clock a. m., pursuant to adjournment, and was called to order by Senator Metcalfe, who directed the Secretary to read the following communication:

April 5, 1945.

Senator Penrose B. Metcalfe,
Senate Chamber,
Austin, Texas.

Sir: In accordance with the provisions of Senate Rule No. 5, you are hereby named to perform the duties of the Chair during my absence from

the Senate or until the Senate otherwise directs.

Respectfully,
GEORGE MOFFETT,
President pro tempore.

The roll was called and the following Senators were present:

Aikin	Metcalfe
Brown	Moore
Bullock	Morris
Carney	Parrish
Chadick	Ramsey
Crawford	Shivers
Graves	Spears
Hazlewood	Stone
Jones	Sulak
Knight	Taylor
Lane	Vick
Lanning	Weinert
Martin	Winfield
Mauritz	York

A quorum was announced present.

The Reverend J. E. Chester, Chaplain, offered the invocation.

On motion of Senator Aikin, and by unanimous consent, the reading of the Journal of the proceedings of yesterday was dispensed with and the Journal was approved.

Leaves of Absence Granted

Senator Stanford was granted leave of absence for today on account of illness in his family on motion of Senator Crawford.

Senators Kelley and Moffett were granted leaves of absence for today on account of important business on motion of Senator Crawford.

Reports of Standing Committees

Senator Mauritz submitted the following report:

Austin, Texas,
April 4, 1945.

Hon. John Lee Smith, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred H. B. No. 175, by Isaacks, have had said bill under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

MAURITZ, Chairman.

Senator Winfield submitted the following report:

Austin, Texas,
April 4, 1945.

Hon. John Lee Smith, President of
the Senate.

Sir: We, your Committee on Federal Relations to whom was referred H. B. No. 804, have had same under consideration and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

MOFFETT, Chairman.

Senator Graves submitted the following report:

Austin, Texas,
April 4, 1945.

Hon. John Lee Smith, President of
the Senate.

Sir: We, your Committee on Insurance to whom was referred H. B. No. 212, have had the same under consideration and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

GRAVES, Chairman.

Senator Carney submitted the following report:

Austin, Texas,
March 29, 1945.

Hon. John Lee Smith, President of
the Senate.

Sir: We, your Committee on Privileges and Elections, to whom was referred H. B. No. 63, have had same under consideration and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

CARNEY, Chairman.

Report of Conference Committee on House Bill 241

Senator Martin submitted the following report:

Austin, Texas,
April 5, 1945.

Hon. John Lee Smith, President of
the Senate.

Hon. Claud Gilmer, Speaker of the
House of Representatives.

Sirs: We, you Conference Committee, appointed to adjust the differences between the House and the Senate on House Bill No. 241, beg leave to report that we have considered the same and

recommend that it do pass in the form and text hereto attached.

MARTIN
WINFIELD
MOORE
GRAVES
SPEARS

On the part of the Senate.

LOVE
REED
HULL
SIMPSON
HOYO

On the part of the House.

By Love

H. B. No. 241

A BILL

To be Entitled

"An Act amending Section 1 of House Bill No. 165, Chapter 81, of the Acts of the Regular Session of the Forty-fifth Legislature of the State of Texas, passed at its Regular Session, fixing the compensation of certain designated Districts, County and Precinct Officers in counties having a population of two hundred and twenty-five thousand (225,000) or more and less than five hundred thousand (500,000) according to the last preceding or any future Federal Census; repealing all laws in conflict herewith to the extent of such conflict only; and declaring an emergency."

Be it Enacted by the Legislature of
the State of Texas:

Section 1. The provisions of Section 1, of House Bill No. 165, Chapter 81, of the Acts of the Regular Session of the Forty-fifth Legislature of the State of Texas, are hereby amended so that the same shall hereafter provide as follows:

"Section 1. (a) The provisions of this Section shall apply to and control in each County in the State of Texas having a population of two hundred and twenty-five thousand (225,000) or more, and less than five hundred thousand (500,000) according to the last preceding Federal census.

"(b) The County Judge, Sheriff, District Attorney, District Clerk, County Clerk and the Assessor and Collector of Taxes of such Counties shall each receive a salary of Seventy-four Hundred Dollars (\$7400) per annum. The County Auditor of such counties shall receive a salary of Sixty-five Hundred Dollars (\$65000) per annum, in lieu of any and all compensation now provided by law;

provided that any salary or compensation now provided by law to be paid such County Auditor out of any special funds, including compensation for services rendered navigation, levee, drainage or road districts, shall be charged and collected, but shall be paid into the General Fund of such counties. The County Treasurer of such counties shall receive a salary of Thirty-nine Hundred Dollars (\$3900) per annum. The Judges of the County Courts at Law and the County Criminal Courts of such counties shall each receive a salary of Six Thousand Dollars (\$6000) per annum. All of such salaries enumerated in this subsection shall be paid out of the General Fund of such counties.

"(c) The County Commissioners of such counties shall each receive a salary of Fifty-five Hundred Dollars (\$5500) per annum and such salaries shall be out of the Road and Bridge Funds of such counties.

"(d) All Justices of the Peace and Constables of such counties who are compensated on a fee basis as provided by law shall be entitled to retain annual fees not to exceed Forty-five Hundred Dollars (\$4500) each. All Justices of the Peace and Constables of such counties who are compensated on a salary basis as provided by law shall receive an annual salary of not to exceed Forty-five Hundred Dollars (\$4500) each, such salary to be fixed by the Commissioners Court. Provided however, that all fees and commissions whether current or delinquent which are collected by the incumbent during his tenure of office shall be applied first to the payment of his deputies, authorized expenses of his office and to make up the maximum compensation provided for in this subsection. No such officers shall be entitled to receive for any purpose any fees or commissions that are collected after he ceases to hold such office."

Sec. 2. All laws and parts of laws in conflict herewith are hereby expressly repealed to the extent of such conflict only.

Sec. 3. The fact that officers in counties affected by this Act are now paid salaries not commensurate with their services and duties and the crowded condition of the calendar create an emergency and an imperative public necessity that the Constitutional Rule requiring that all

bills be read on three several days in each House be suspended, and the same is hereby suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted.

The report was adopted by the following vote:

Yeas—28

Aikin	Metcalf
Brown	Moore
Bullock	Morris
Carney	Parrish
Chadick	Ramsey
Crawford	Shivers
Graves	Spears
Hazlewood	Stone
Jones	Sulak
Knight	Taylor
Lane	Vick
Lanning	Weinert
Martin	Winfield
Mauritz	York

Absent—Excused

Kelley	Stanford
Moffett	

Report of Conference Committee on House Bill 303

Senator Sulak submitted the following report:

Austin, Texas,
April 3, 1945.

Hon. John Lee Smith, President of the Senate.

Hon. Claud Gilmer, Speaker of the House.

Sirs: We, your conference committee to adjust the differences between the two houses on House Bill No. 303 beg leave to recommend that the bill in form, text, and substance as passed by the House of Representatives do pass as an act of the Legislature.

Respectfully submitted,

SULAK
JONES
BROWN
STONE

On the part of the Senate,

SPACEK
RAMSEY
JONES
HELPENSTILL
SMITH

On the part of the House.

Question—Shall the report be adopted?

Senator Aikin moved that the re-

port be rejected and that a new conference committee be appointed to adjust the differences between the two Houses on the bill.

Senator Sulak moved to table the motion.

The motion to table was lost by the following vote:

Yeas—12

Brown	Mauritz
Bullock	Metcalf
Chadick	Parrish
Crawford	Ramsey
Jones	Sulak
Knight	York

Nays—15

Aikin	Morris
Carney	Shivers
Graves	Spears
Hazlewood	Taylor
Lane	Vick
Lanning	Weinert
Martin	Winfield
Moore	

Absent

Stone

Absent—Excused

Kelley	Stanford
Moffett	

Question recurring on the motion of Senator Aikin, it prevailed.

Accordingly, the Presiding Officer appointed the following conferees on the bill on the part of the Senate: Senators Sulak, Spears, Lanning, Brown and Jones.

Senate Resolution 54

(Extending Felicitations to Acting Governor Moffett)

Senator Aikin offered the following resolution:

Whereas, one of our distinguished fellow-members, President pro tempore George Moffett, is acting Governor for to day, and

Whereas, the Senate is desirous of extending hearty congratulations to our fellow-member who is ably conducting the affairs of the Governor's office at this time, now therefore be it

Resolved that we extend our hearty felicitations and congratulations to Acting Governor George Moffett.

The resolution was read and was adopted unanimously.

Senate Resolution 55

(Special Page for the Day)

Senator Hazlewood offered the following resolution:

Whereas, Jeter G. Dickinson III son of Mr. and Mrs. J. G. Dickinson of Amarillo is visiting the city of Austin, now therefore be it

Resolved by the Senate of Texas that he be appointed as my special page for the day.

The resolution was read and was adopted.

Senate Bill 312 on First Reading

Senator Vick moved that the rules adopted pursuant to Section 5 of Article III of the State Constitution be suspended to permit his introducing at this time a bill the provisions of which he explained.

The motion prevailed by the following vote:

Yeas—28

Aikin	Metcalf
Brown	Moore
Bullock	Morris
Carney	Parrish
Chadick	Ramsey
Crawford	Shivers
Graves	Spears
Hazlewood	Stone
Jones	Sulak
Knight	Taylor
Lane	Vick
Lanning	Weinert
Martin	Winfield
Mauritz	York

Absent—Excused

Kelley	Stanford
Moffett	

The following bill then was introduced, read first time and referred to the Committee on Civil Jurisprudence:

By Senator Vick:

S. B. No. 312, A bill to be entitled "An Act providing that the official ballots to be used in primary elections shall designate places for nominations for candidates for two or more State offices of the same classification, and declaring an emergency."

Senate Bill 313 on First Reading

Senator Moore moved that the rules adopted pursuant to Section 5 of

Article III of the State Constitution be suspended to permit his introducing at this time a bill the provisions of which he explained.

The motion prevailed by the following vote:

Yeas—28

Aikin	Metcalf
Brown	Moore
Bullock	Morris
Carney	Parrish
Chadick	Ramsey
Crawford	Shivers
Graves	Spears
Hazlewood	Stone
Jones	Sulak
Knight	Taylor
Lane	Vick
Lanning	Weinert
Martin	Winfield
Mauritz	York

Absent—Excused

Kelley	Stanford
Moffett	

The following bill then was introduced, read first time and referred to the Committee on Game and Fish:

By Senator Moore:

S. B. No. 313, A bill to be entitled "An Act amending House Bill 131, Chapter 97, General and Special Laws of the Fortieth Legislature, First Called Session, 1927, creating the Harris County Houston Ship Channel Navigation District of Harris County, Texas; by adding a section to be known as Section 7a; providing that all proceedings, orders, notices, ballots, and other matters in connection with the authorization, voting, and issuance of five million dollars (\$5,000,000) Harris County Houston Ship Channel Navigation District of Harris County, Texas, bonds, voted at an election held December 19, 1944, and subsequent proceedings shall not be invalid by reason of named errors and omissions; providing that all such proceedings are legalized, confirmed, ratified, approved, and validated in so far as they are affected by the named errors and omissions; providing for approval by the Attorney General of Texas of such bonds if otherwise legal; directing the manner of applying the proceeds of sale; providing saving clauses; repealing acts in conflict; and declaring an emergency."

Message from the House

Hall of the House of Representatives,

Austin, Texas,
April 5, 1945.

Hon. John Lee Smith, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

The House has adopted the Conference Committee Report on House Bill No. 303 by a vote of 118 yeas.

The House has adopted the Conference Committee Report on Senate Bill 78 by a vote of 126 yeas and 1 nay.

The House has passed the following resolution:

H. J. R. No. 49, Relative to the four cent tax on gasoline for road building purposes.

Respectfully submitted,
CLARENCE JONES,
Chief Clerk, House of Representatives.

Message from Acting Governor Moffett

On direction of the Presiding Officer, the Secretary read at this time the following message from Acting Governor Moffett:

Austin, Texas,
April 5, 1945.

To the Members of the Forty-ninth Legislature:

I desire to respectfully call your attention to the fact that the assurance of permanent markets for the raw materials and commodities produced in this State is an important problem, and will become more so in the post war period when productive capacity is almost certain to considerably exceed normal demand. When that time comes, the State's overshadowing economic problem will be that of obtaining an adequate market outlet for its products, particularly the agricultural and livestock products, upon which so many people depend for a living.

Every county in this State is concerned with this problem, but more counties are concerned about the post war markets for cotton than anything else, because it is the major crop in such a large number of counties, and has suffered more from the

competition of substitutes, and the loss of foreign markets.

The problems created by the conditions just mentioned are far reaching and deep seated, and affect the whole fabric of our government. In order to maintain and sustain the economic stability of the State government, and many of its political subdivisions, it is essential that definite and constant efforts on a broad scale be now set in motion to secure the market outlets vitally needed.

It is generally conceded that scientific research for new and expanded uses of the States products is the most practical and effective approach to the problem which confronts us. Farmers and live stock producers are not in a position to conduct scientific research. A manufacturer can and often does carry on extensive research in the ordinary course of his business, and usually consider same a part of the cost of doing business, which is reflected in the price charged the consumer for the finished article. So, we the people of Texas are often paying, in the role of consumer, for the scientific research carried on by a manufacturer, to broaden the market outlet for a synthetic substitute sold in competition with the natural products of our State. Since it is manifestly impossible for the farmer or stock raiser to individually seek new and unknown outlets for his products, it is proper for the State government to extend financial assistance to this large segment of the population, in the form of adequate appropriations for scientific research, to discover new and expanded uses for those products, of which there is either a present or potential future surplus. This effort will undoubtedly increase the total gross income of the people and thereby promote and assure the continued financial and economic stability of the State and its political subdivisions. Consequently I respectfully call to your attention, and submit for your careful consideration, the matter of making adequate appropriations for scientific research in behalf of all Texas products whether they be agricultural, live-stock, or mineral.

However, since it is evident to those who have studied the statistics that there is a greater need for scientific research for new and expanded uses for cotton than any other Texas commodity, and since its post war outlook is the gloomiest of all, I

expressly submit for your special consideration as an emergency matter under Section 5, of Article III of the Constitution, the following subject of legislation:

The appropriation of at least \$336,000.00 for the use and benefit of the Texas Cotton Research Committee, during the biennium ending August 31, 1947, in order that said committee may continue in a manner commensurate with their paramount importance, its commendable efforts to discover new and expanded market outlet for Texas cotton.

Respectfully submitted,
GEORGE MOFFETT,
 Acting Governor of Texas.

Senate Bill 299 on Final Passage

Senator Moore moved that the vote by which Senate Bill 299 was passed on yesterday be reconsidered.

The motion prevailed.

The Presiding Officer then laid Senate Bill 299 before the Senate on its final passage.

On motion of Senator Moore, Senate Bill No. 299 was laid on the table subject to call.

House Joint Resolution 49 on First Reading

The following joint resolution, received from the House today, was laid before the Senate, read first time, and referred to the committee indicated:

H. J. R. No. 49, to Committee on Constitutional Amendments.

Motion to Re-refer Senate Joint Resolution 13

Senator Vick moved that S. J. R. 13 be re-referred from the Committee on Constitutional Amendments to the Committee on Counties and County Boundaries.

Question—Shall the motion prevail?

Adjournment

Senator Aikin moved the Senate recess to 2:30 o'clock p. m., today.

Senator Weinert moved that the Senate adjourn until 10:00 o'clock a. m. tomorrow.

Question first recurring on the motion of Senator Weinert, it prevailed; and the Senate, accordingly, at 12:10 o'clock p. m., adjourned until 10:00 o'clock a. m. tomorrow.